

## **REMARKS**

Claims 1-23 are pending in the application. Claims 1-23 stand rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,802,161 issued to Svoronos et al. in view of U.S. Patent No. 5,889,799 issued to Grossman. Applicants respectfully traverse. Applicants respectfully request reconsideration and full allowance of all pending claims.

Svoronos discloses ordering accounts for outbound contact attempts based upon the probability of achieving a right party contact.

Grossman discloses that the results of contact attempts are used to update a contact history database and to update account records when necessary, such as when the telephone numbers have changed.

Claim 1 recites, in part, “a contact update engine interfaced with the contact record database and operable to identify one or more contact records for update of the associated contact numbers based on one or more update factors.”

Claim 8 recites, in part, “identifying contact records having contact attempts with a result of no contact” and “obtaining updated contact information for the selected contact records from an update resource.”

Claim 15 recites, in part, “a contact update engine interfaced with the contact record database and operable to select contact records to update associated contact numbers based on update factors.”

Svoronos and Grossman cannot make obvious Claims 1, 8 and 15 because Svoronos and Grossman fail to teach, disclose or suggest all elements recited by Claims 1, 8 and 15. The Examiner admits that Svoronos fails to disclose identifying accounts for update of associated contact numbers or contact information. Grossman also fails to disclose identification of accounts for update of associated contact numbers or contact information. At column 6, lines 21-28, Grossman indicates that a contact number is updated if the result of a contact attempt indicates a telephone number has changed. Since the result of the contact attempt is a new

number, Grossman has no need to identify contact numbers for updating – the updated contact number is already known. Nothing in Grossman indicates that contact records are identified with a result of no contact as is recited by Claim 8.

The Examiner maintains the rejection by referring to column 4, lines 35-50 as flagging an account record and contact history database for updating. Grossman is a lengthy patent that uses contact history to predict when to call a number and updates an account record based on the results of the call. The “flagged for updating” indicates an update of an account record based on the result of the call and a contact database to use in predicting when to call accounts. Nothing in Grossman indicates that the “flagged for updating” results in an update of updated contact numbers as recited by Claims 1 and 15 or contact information from an update resource as recited by Claim 8. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections and allow all of pending Claims 1-23.

### CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

The Commissioner is authorized to deduct any fees that may be necessary and to credit any overpayment to Deposit Account 502264.

#### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on June 5, 2009.

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Respectfully submitted,

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